

ARTICLE 2
DEFINITIONS AND
RELATIONSHIP TO COMPREHENSIVE PLAN

2.1 General

2.1.1 Unless a contrary intention clearly appears, the following words and phrases shall have for the purpose of this Ordinance the meanings given in the following clauses and shall be interpreted as follows:

1. Words used in the present shall include the future.
2. The singular includes the plural.
3. The plural includes the singular.
4. The word "lot" includes "plot," "parcel" or "tract."
5. The term "shall" is always mandatory, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
6. The word "building" includes the word "structure" and shall be construed as if followed by the phrase "or part thereof".
7. The word "person" includes a firm association, organization, partnership, trust, company, or corporation as well as an individual.
8. The words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied."

2.1.2 Where definitions in this Ordinance vary from definitions in the Comprehensive Plan, Subdivision Regulations, or any other ordinance, the meaning of words in this Ordinance shall take precedence within the context of this Ordinance.

2.2 Definitions

2.2.1 The following words and phrases, when used in this Ordinance, shall for the purpose of this Ordinance, have the meanings respectively ascribed to them in this section, except where the context requires otherwise.

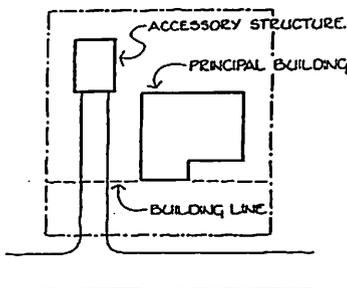
Abandonment (or Discontinuance)

The voluntary evacuation of a use for a continuous period of at least six (6) months, by completely vacating the lot or structure where said use is conducted.

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Accessory Structure

A subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure. (see diagram).



Accessory Use

A use conducted on the same lot as the principal use which is clearly incidental to and customarily found in connection with a principal building or use, and which is subordinate in extent or purpose to the principal building or use.

Administrative Official

Any employee or advisory, elected or appointed person who is authorized to administer any provision of this Ordinance, subdivision regulations, or any other land use control regulation. This term shall include the term "enforcement officer."

Adult Retail

An Adult Retail establishment is a commercial establishment that can be classified as one or more of the following:

A. **Adult Amusement Arcade.** An establishment having as one of its principal uses one or more of the following: customer-operated motion picture devices, peep shows, viewing areas, and/or similar devices either coin, token or slug operated or which, in consideration of an entrance fee, display material distinguished or characterized by an emphasis on depictions of sexual activities, as hereinafter defined, or which offer male or female persons who expose to view of the customer the bare female breast below a point immediately above the top of the areola, human genitals, pubic region or buttocks, even if partially or completely covered by translucent material, or human or simulated male genitals in a discernible turgid state, even if completely or opaquely covered.

B. **Adult Bookstore.** An establishment having as one of its principal uses the sale, rent or display of pictures, books, periodicals, magazines, appliances and similar material which are distinguished or characterized by their emphasis on depictions of sexual activities as hereinafter defined or an establishment with a substantial segment or section devoted to the sale, rental or display of such material.

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C. Adult Motion Picture Theater. An establishment having or advertising as having as one of its principal uses the presentation of motion pictures, slide projections and other similar material having as a dominant theme or characterized or distinguished by an emphasis on matter depicting, describing or relating to sexual activities, as hereinafter defined, for observation by persons therein.

D. Adult State Show Theater. An establishment having as one of its principal uses the presentation of live performances of humans or animals having as a dominant theme or characterized or distinguished by an emphasis on matter depicting or relating to sexual activities, as hereinafter defined, for observation by persons therein.

Agricultural Operation (or Agricultural Use)

The use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public, and shall also include, regardless of the size of the tract of land used, small wineries licensed under KRS 243.155, and farm wineries licensed under the provisions of KRS 243.156.

Agricultural Structures

Any structure or building accessory to the agricultural use of the land.

Alley

A public way affording only a secondary means of access to abutting property.

Apartment (Loft)

See Dwelling, Multifamily

Automobile Service Station

Any building, land area or other premise, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries and similar accessories, and food products.

Bed and Breakfast Facility

For the purposes of this Ordinance, an owner-occupied house or portion thereof, where short-term transient lodging is provided, including serving only a breakfast meal to overnight lodgers, in exchange for rent. Bed and Breakfast establishments shall not rent rooms for more than seven (7) days to the same guest (any establishment exceeding seven days shall be regarded as a Boarding House). Each

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room to be rented shall be designed and intended to accommodate no more than two adults, with no limitations on accompanied children. (Note: other conditions may apply to such facilities permitted by condition in certain districts).

Block

In describing the boundaries of a district, "block" refers to the legal description. In all other instances, the term refers to the property abutting one (1) side of a street between intersecting streets or a street and a railroad right-of-way or waterway.

Board of Adjustment

The Danville-Boyle County Board of Adjustment.

Boarding House or Lodging House

For the purposes of this Ordinance, a building designed or advertised where, for compensation and by prearrangement for definite periods, meals or lodging or both are provided for three (3) or more persons for seven (7) or more days, not including members of the keeper's immediate family.

Establishments providing similar lodging for seven (7) or more days for fewer than three persons (not including members of the keeper's family) shall be classified as a Multifamily Dwelling.

Lodging Summary Table

Facility	Owner-Occupancy Required	Minimum People (not related)	Maximum People (not related)	Minimum Stay	Maximum Stay	Kitchen Facilities In Room
Bed & Breakfast	Yes	1	(a)	n/a	7 days	No
Boarding / Lodging House	No	3	n/a	7 days	n/a	No
Hotel	No	1	n/a	n/a	7 days (b)	(c)
Multifamily Dwelling	No	1	n/a	7 days	n/a	May

(a) Conditionally permitted B&B facilities are restricted to four rooms, unless they are on the National Register of Historic Places .

(b) Average length of stay for guests is not greater than seven (7) days.

(c) Not relevant. Distinguishing feature between a hotel and a B&B is owner-occupancy. Distinguishing feature between a hotel and other forms of lodging is the maximum stay.

Buildable Lot Area

That part of a lot not included within the open areas required by this Ordinance.

Building

Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

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Building, Accessory

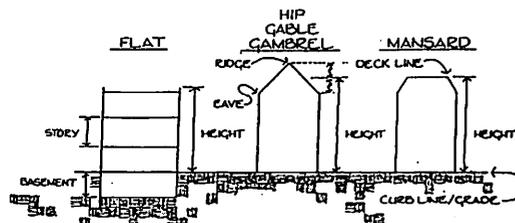
A minor building that is located on the same lot as the principal building and that is incidental to the principal building or houses an accessory use. See also Accessory Structure.

Building Frontage

The maximum horizontal width of the ground floor of a building that approximately parallels and faces an adjacent public right-of-way. In the case of a building where an individual occupant would have no building frontage, the maximum horizontal width of the portion of the building where the occupant's main entrance is located shall be considered that occupant's separate and distinct building frontage. In the case where the ground floor of a building is occupied by two (2) or more different tenants, the portion of the building frontage occupied by each tenant shall be considered a separate and distinct building frontage. Corner lots shall be considered to have only 1 distinct and separate building frontage.

Building, Height

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.



Building Line

The line beyond which no building or part thereof shall project, except as otherwise provided by this Ordinance.

Building Permit

A permit issued by the authorized officer allowing a proprietor or his agent to construct, alter or remove a building, to construct outbuildings or accessory structures, or engage in similar activity which would alter the character of the lot in question. This is distinguished from a Zoning Permit, defined hereinafter.

Building, Principal

A building in which is conducted the main or principal use of the lot on which said building is situated.

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Cellar

That portion of a building between floor and ceiling partly underground, but having half or more of its clear height below the adjoining finished grade.

Cemetery

Land used or intended to be used for the burial of the animal or human dead and dedicated for cemetery purposes, including crematoriums, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

Child Care Home (also Family Child Care)

An incidental and subordinate use within a dwelling and not an accessory structure, where full or part-time care is provided by a resident of the dwelling, for a fee, to children, as regulated by the Commonwealth of Kentucky. There shall be no more than 6 (six) children allowed in a child care home.

Child Care Center (or Day Care Center)

Any facility which provides full or part-time care, other than family child care, day or night, to children who are not the children, grandchildren, nieces, nephews, or children in legal custody of the operator, as regulated by the Commonwealth of Kentucky.

Citizen Member

Any member of the Planning Commission or Board of Adjustment who is not an elected or appointed official or employee of the city or county.

Civic Uses

Those uses that are not primarily residential, commercial, industrial, or agricultural in nature which benefit the quality of life of and provide services to some or all of the general public. Civic Uses include federal, state, county, and local governmental buildings, community buildings, meeting halls, libraries, post offices, schools, museums, performing arts buildings, public or neighborhood recreation facilities, public and private clubs (including private country clubs), religious structures, fraternal and volunteer meeting facilities, and other uses of a reasonably similar nature.

Clinic

A place used for the care, diagnosis and treatment of sick, ailing, infirmed, or injured persons, and those who are in need of medical and surgical attention, but who are provided with board or room or kept overnight on the premises.

Commission (or Planning Commission)

The Danville-Boyle County Planning and Zoning Commission.

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Comprehensive Plan

A plan, or any portion thereof, adopted by the Planning Commission and/or the legislative authorities of Boyle County, Danville, Perryville, and Junction City showing the general location and extent of present and proposed physical facilities including agriculture, housing, industrial and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

Conditional Use

A use which is essential to or would promote the public health, safety, or welfare in one (1) or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed in addition to those imposed in the zoning Ordinance.

Conditional Use Permit

Legal authorization to undertake a conditional use, issued by the administrative official pursuant to authorization by the Board of Adjustment, consisting of two (2) parts:

- a. A statement of the factual determination by the Board of Adjustment which justified the issuance of the permit; and
- b. A statement of the specific conditions which must be met in order for the use to be permitted.

Condominium

A building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Construction/Demolition Debris Landfill and/or Registered Permit by Rule

A facility dedicated solely to the disposing of demolition wastes and construction wastes resulting from the construction, remodeling, repair, and demolition of structures and roads, and for the disposal of uncontaminated solid waste consisting of vegetation resulting from land clearing and grubbing, utility line maintenance, and seasonal and storm related cleanup. The material must be non-hazardous and non-soluble in nature. (KRS 224.40-310; 401 KAR Chapters 47 and 48) as amended from time to time.

Consumer Services

Sale of any service to individual customers for their own personal benefit, enjoyment, or convenience and for fulfillment of their own personal needs, such as beautification and barbering services, the provision of lodging, entertainment,

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specialized instruction, financial service, automobile storage, transportation, laundry and dry cleaning services and all other similar services.

Court

Any open space, unobstructed from ground to sky, other than a yard, that is on the same lot with and bounded on two (2) or more sides by the walls of the building.

Density

A unit of measurement: the number of dwelling units per acre of land.

- a. Gross Density: the number of dwelling units per acre of land to be developed.
- b. Net Density: the number of dwelling units per acre of land when the acreage involved only the land devoted to residential uses.

Dimensional Variance

Departure from the terms of the Zoning Ordinance pertaining to the height or width of structures, yards and open spaces where such departure will not be contrary to the general public health, safety, and welfare, and where owing to conditions peculiar to the property because of its size, shape, or topography and not as a result of the action of the applicant, the literal enforcement of its zoning regulations would result in unnecessary and undue hardship.

Driveway

An improved, dust free surface connecting a garage or parking area with the street.

Duplex

A building or structure containing two (2) dwelling units separated by an uninterrupted common wall or floor/ceiling. (Also see "Dwelling, Two-Family").

Dwelling

Any building or structure (except house trailers, boats, or recreational vehicles) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Dwelling, Loft Apartment

Any building or structure in which the second story or higher is used or is intended to be used for dwelling units.

Dwelling, Modular

A dwelling unit constructed in accordance with standards set forth in the county and state building codes applicable to site-built homes, comprised of components substantially assembled in a manufacturing plant and transported to the site for final assembly on a permanent foundation.

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Dwelling, Multifamily

A building or portion thereof used for occupancy by three (3) or more families living independent of each other and containing three (3) or more dwelling units.



Dwelling, Single-family Attached

A building containing dwelling units, each of which has a primary ground floor access to the outside and which are attached to each other by party or common walls without openings. The term is intended primarily for dwelling types such as townhouses and row housing.

Dwelling, Single-family Detached

A residential building containing not more than one dwelling unit located on a lot containing no other dwelling units.

Dwelling, Two-family

A structure on a single lot containing two dwelling units, also called a duplex.

Dwelling Unit

A building or portion thereof that provides living facilities for one family.

Easement

See "Right of Way."

Enforcement Officer

Any administrative official designated by the Commission who shall be charged with and provided with the authority to enforce the Ordinance, regulation codes and orders of the Planning Commission.

Essential Utility Services

Any facility necessary for the operation and maintenance of a utility. For the purposes of this Ordinance, Essential Utility Services shall also include facilities and structures that directly affect public safety, such as fire and police stations. Essential Utility Services does not include those facilities designed for the long-term incarceration of criminals.

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Family

Two (2) or more persons related by blood, marriage, or legal adoption, or not more than four (4) unrelated persons, occupying a dwelling unit and maintaining a common household. The term "family" shall also include foster or boarded children whose room and board is paid by a recognized child care agency.

Fence

An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

Fence, Solid

A continuous linear structure constructed of either solid wood or chain link with diagonal slat inserts.

Floodplain

Any land area of special flood hazards as determined on the effective Flood Insurance Rate Map published by the Federal Emergency Management Agency.

Frontage

The length of any one property line of a premises that abuts a public street or right-of-way.

Garage, Parking

A deck, building or structure, or part thereof, used or intended to be used for the parking and storage of vehicles.

Garage, Community

A garage used exclusively for the parking and storage of vehicles owned or operated by residents of nearby dwelling units and their guests, which is not operated as a commercial enterprise and is not available to the general public, and which is owned, leased or cooperatively operated by such residents.

Garage, Municipal

A structure owned or operated by a municipality and used primarily for the parking and storing of vehicles owned by the general public.

Garage, Private Customer and Employee

A structure which is accessory to a nonretail commercial or manufacturing establishment, building or use and is primarily for the parking and storage of vehicles operated by the customers, visitors and employees of such building, and which is not available to the general public.

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Garage, Private Residential

A structure which is accessory to a residential building (either attached or detached) and which is used for the parking and storage of vehicles owned and operated by the residents thereof, and which is not a separate commercial enterprise available to the general public.

Garage, Public

A building, or portion thereof, other than a private customer and employee garage or private residential garage, used primarily for the parking and storage of vehicles and available to the general public.

Garage, Repair

Any building, premises and land in which or upon which a business, service or industry involving the maintenance, servicing, repair or painting of vehicles is conducted or rendered. Vehicles may be towed for the purpose of servicing on the premises. Vehicles shall not be accumulated on-site for any other purpose.

Gross Floor Area

The sum of the gross horizontal areas of the floor or floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor to ceiling height is less than six feet.

Group Home

A dwelling shared by four (4) or more persons with disabilities, and resident staff, who live together as a single housekeeping unit. As used herein, the term "persons with disabilities" means having a physical or mental condition that substantially limits one or more of such person's major life activities so that such a person is incapable of living independently; a record of having such impairment or being regarded as having such impairment. The term "group home" does not include alcoholism or drug treatment centers or any housing serving as an alternate to incarceration.

Halfway House

A dwelling unit shared by four (4) or more persons and residents staff who live together as a single housekeeping unit and is an alternate to incarceration.

Home Occupation

Any occupation or profession carried out by a member of the immediate family residing on the premises, without advertising, sign or display other than those permitted in Section 13.14.1; no goods, stock in trade or commodities are displayed or sold on the premises; and no more than one person is employed or subcontracted other than members of the family.

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Hospital

An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related or training facilities.

Hotel

A facility offering transient lodging accommodations to the general public and providing additional services such as restaurants, meeting rooms, and recreation facilities. Lodging shall generally not be rented in excess of seven (7) consecutive days per customer.

Housing or Building Regulation

The Kentucky Building Code, and any regulation incorporating any housing, building or safety code, including but not limited to such codes as plumbing, electrical, elevator, boiler, fire safety and minimum housing, or other regulation.

Impervious Surface

Surfaces through which rain or other water cannot permeate to the underlying soil strata (e.g., roofs, asphalt, concrete, etc.).

Junkyard

Any area of land, building, structure or part thereof used for the storage, collection, processing, purchase or sale of waste, scrap or discarded goods including more than three (3) inoperable and/or unlicensed vehicles. Also called "Junk Building" or "Junk Shop."

Kennel

Any structure or premises on which four (4) or more dogs over six (6) months of age are kept. No kennels allowed in cities. See local ordinances.

Landscape and Landscape Strip

An area devoted to materials such as, but not limited to grass, ground covers, shrubs, hedges, vines or trees, and non-living durable material normally used in landscaping such as rocks, pebbles and decorative walls, but excluding paving.

Legislative Body

The governing body of the cities of Danville, Perryville, Junction City, and/or the Fiscal Court of Boyle County.

Loading Space, Off-Street

Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when

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required off-street parking spaces are filled. Required off-street loading spaces shall be located totally outside of any street or alley right-of-way.

Lot

A parcel of land occupied, or intended to be occupied by a building and its accessory buildings, sufficient in size to meet the zoning requirements for the zoning district within which it lies, for use, coverage, and area requirements and which has the required frontage on a public street or right-of-way.

Lot Area

The total area within the lot lines of a lot, excluding any street rights-of-way.

Lot, Corner

A lot located at the intersection of two (2) or more streets having an angle of intersection of not more than 135 degrees.

Lot Coverage

The ratio of all buildings and structures on a lot (including overhangs, graveled driveways and surfaced parking areas) to the horizontally projected area of the lot, expressed as a percentage.

Lot Depth

The mean horizontal distance between the front and rear lot lines.

Lot Frontage

See "Frontage."

Lot Line

The property lines bounding a lot.

Lot, Minimum Area of

The smallest lot area established by the zoning Ordinance on which a use or structure may be located in a particular district.

Lot of Record

A lot or parcel of land that has been officially recorded in the Office of the Boyle County Clerk as of the adoption date of this Ordinance.

Lot, Through

A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.

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Lot Width

The horizontal distance between side lot lines measured at the front setback line.

Mall

A group of two (2) or more business establishments bordering on and having customer entrances from an enclosed common area. See also: Shopping Center.

Manufactured Building

A structure mass produced in a factory, not on a chassis, transportable in one or more sections, for installation on-site, designed to be for permanent occupancy with a foundation when connected to required utilities.

Manufactured Housing

A transportable home intended to be used as a year-round residence constructed after June 15, 1976 that meets construction and installation standards of the United States Department of Housing and Urban Development in effect at the time of manufacture. Types of manufactured housing are divided into four classes, as detailed in Section 11.

Mobile Home

Also called a Class C Manufactured Home. A structure manufactured prior to June 15, 1976 which was not required to be constructed in accordance with the Code of Federal Regulations, Title 24, Part 3280, 3282, 3283, and 42 USC 5401, ET Seq. (commonly referred to as the HUD Code), which is transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. Mobile homes are classified as either Class C or Class D manufactured housing, as defined in Section 11.

Manufactured Housing Park

See Section 11.1.5.

Manufactured Housing Park Complex

See Section 11.1.5.A.

Manufactured Housing Park Subdivision

See Section 11.1.5.B.

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Manufacturing

The processing and converting of raw, unfinished, or finished materials or products, or any of these, into an article or substance of different character, or for use for a different purpose; also industries furnishing labor in the case of manufacturing or the refinishing of manufactured articles.

Nonconforming Situation

A situation that occurs when, on the effective date of this Ordinance, any existing lot, structure or use of an existing lot or structure does not conform to any one or more of the regulations applicable to the district in which the lot or structure is located, including nonconforming signs.

Nonconforming Use

A nonconforming situation that occurs when property is used for a purpose or in a manner made unlawful by the use regulation applicable in the district in which the property is located.

Noxious or Toxic Matter

Any matter which is inherently harmful and poses a significant threat to the general health, safety, and welfare of the community.

Open Space

Part of a lot which may include lawns, decorative plantings, walkways, active and passive recreation areas and water courses, but does not include parking spaces, driveways or similar surfaces.

Parking Space

A portion of a parking lot intended for the temporary parking of a personal vehicle and which shall have a means of access to a public street.

Plat

The map of a subdivision or other tract of land.

Premises

A lot or tract of land and all the structures on it.

Principal Use

A use which is permitted outright in a district for which a building permit may be issued by the building official in accordance with the provisions of this Ordinance.

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Recreation Facilities and Uses

Public or private facilities that may be classified as either "extensive" or "intensive" depending upon the scope of services offered and the extent of use.

1. "Extensive" facilities generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing, and riding clubs and parks.
2. "Intensive" facilities generally require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and bowling alleys.

Recreational Vehicle

A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.

Regulation

Any enactment by the Planning and Zoning Commission regulating the subdivision of lands.

Rehabilitation Home

Also called a "Rehabilitation House." A dwelling shared by four (4) or more patients and resident staff who live together as a single housekeeping unit for the purpose of alcohol and/or drug treatment.

Re-subdivision

The term re-subdivision when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or re-division of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision.

Retail Sales

Sale of any product or merchandise to customers for their own personal use, not for resale.

Right-of-way (or Easement)

A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, cable television lines, telephone lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses as outlined by contract or deed.

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Seat

For the purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benched, pews, or space for loose chairs.

Setback Line

A line established by the subdivision regulations and/or zoning ordinance, generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure may be located above ground, except as may be provided in this Ordinance or related codes and regulations.

Screening

A method of visually shielding or obscuring one abutting nearby structure or use from another by fencing, walls, berms, dense vegetation or other approved means.

Shopping Center

A group of two (2) or more business establishments each having its outside customer entrance to a shared parking area, which has limited designated entrance points. See also: Mall.

Sign

Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. This definition explicitly excludes national or state flags, athletic scoreboards, and the official announcements or signs of government.

Sign, Abandoned

A sign or sign structure which no longer correctly specifies any activity conducted or product available on the premises where such sign is displayed.

Sign Area

The entire display area of a sign including the advertising surface located on one or more sign faces and any framing, molding or trim, but not including the supporting structure. An irregularly shaped sign surface area shall be calculated by measuring the surface area of a simple plane or solid geometric shape which approximates the size and shape of the sign's surface. The area of individual elements of a sign placed against a non-localized background (such as letters placed against a window or wall) shall be measured by calculating the area of the smallest single rectangle which would completely enclose all elements of the sign.

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Sign, Awning

A sign painted, stamped, perforated, stitched or otherwise applied on the valance of an awning that is attached to the wall of a building with the face of the sign approximately parallel to the wall.

Sign Face

The largest portion, in square feet, of a sign's face that is visible; measured at the location where the largest amount of a sign's area can be viewed by the eye at one point in time.

Sign, Ground

Any sign, other than a pole sign, placed upon or supported by the ground independent of any other structure, such as a frame having wheels or capable of having wheels.

Sign, Hanging

See Sign, Projecting.

Sign Height

The maximum vertical height in feet that the highest part of the ground sign extends above the surface of the ground underneath the sign. Any visible material whose major function is providing structural support for the sign shall be considered part of the sign.

Sign, Permanent

Any sign permitted by this Ordinance to be located on a premises for an unlimited period of time.

Sign, Pole

A sign that is mounted on a free standing pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.

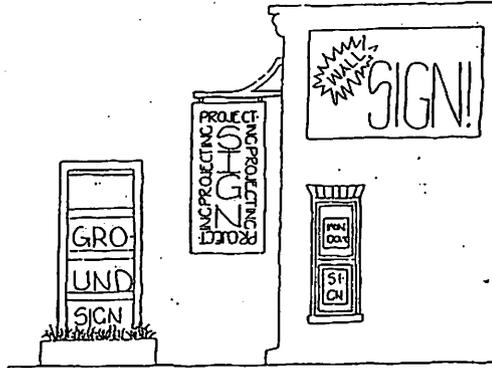
Sign, Portable

A sign that is not permanent, affixed to a building, structure or the ground. Includes signs affixed to a frame having wheels or a frame capable of having wheels and being carried, or otherwise portable and designed to stand free from a building or other structure.

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Sign, Projecting

A sign that is wholly or partially dependent on a building for support and which projects from the face of the building at right angles.



Sign, Roof

A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Sign, Temporary

A sign permitted by this Ordinance to be located on a premises for a limited period of time.

Sign, Wall

A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 12 inches from such building or structure.

Sign, Window

A sign fastened to or painted on the window of a building or structure in such a manner that the window becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than 12 inches from such building or structure.

Solid Waste Landfill

A facility which may accept for disposal all non-hazardous solid wastes such as garbage, refuse, rubbish, sludge, ashes, incinerator residue, street refuse, dead animals, demolition wastes, construction wastes, solid commercial and industrial wastes, limited quantities of household hazardous waste, and other waste as defined in KRS 109.012(9); KRS 224.01-010(31)(a); 401 KAR Chapters 47 and 48) as amended from time to time.

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Story

That part of the building between a floor and the floor or roof next above which is not a basement or attic.

Street

The full width between property lines bounding every public way with a part thereof to be used as a vehicular way, improved or unimproved, which:

1. is an existing federal, state, county or municipal roadway; or
2. is shown upon a plat approved pursuant to law; or
3. is approved by other official action; or
4. is shown on a plat duly filed and recorded prior to the appointment of a Planning Commission and the grant to such commission of the power to review plats; or
5. is constructed to the standards of the controlling governmental body.

Street, Alley

A minor street used primarily for secondary vehicular service access to the back side of properties abutting on another street. See "Alley."

Street, Collector

A street which collects traffic from local streets and connects with minor and major arterials.

Street, Cul-de-Sac

A street with a single common ingress and egress and with a turnaround at the end.

Street, Dead End

A street with a single common ingress and egress.

Street, Major Arterial

A street with access control, channelized intersections, restricted parking, and which collects and distributes traffic to and from minor arterials.

Street, Minor Arterial

A street with signals at important intersections and stop signs on the side streets, and which collects and distributed traffic to and from collector streets.

Street, Local

A street designed to provide vehicular access to abutting property and to discourage through traffic.

Danville, Junction City, Perryville, and Boyle County Zoning Ordinance

Street, Loop

A local street which has its only ingress and egress at two points of the same collector street.

Street, Marginal Access

A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called "Frontage Street" or "Service Street").

Structure

Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Includes but is not limited to buildings, manufactured housing, walls, fences, satellite receivers, and cellular telephone towers.

Subdivision

The division of a lot, tract, or parcel of land into two (2) or more lots, tracts, parcels or other divisions of land for sale, development, or lease, excluding the division of land for agricultural use (of at least five (5) contiguous acres) and not involving a new street.

Townhouse

A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more fire separation walls.

Use

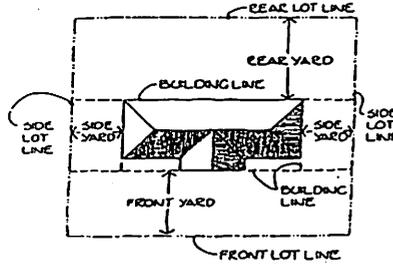
Broadly refers to the activities which take place on any land or premises and also refers to the structures located thereon and designed for those activities.

Variance

A grant of permission by the Board of Adjustment that authorizes the recipient to depart from the strict requirements of the applicable district relative to area regulations, but does not include variation from permitted or conditional uses.

Yard

A required open space on a lot adjoining a lot line containing only landscaping or other uses as provided by this Ordinance.



Yard, Front

A yard extending along the full width of a front lot line between the side lot lines and from the front lot line to the front building or setback line in depth.

Yard, Rear

A yard extending along the full width of a lot along the rear lot line, and not less in depth, measured from the rear lot line, than the minimum required in each district.

Yard, Side

A yard lying between the side line of the lot and the nearest line of the building and extending from the front yard to the rear yard.

Zone

Any area or section of Boyle County, Danville, Junction City and Perryville for which regulations governing the use of the buildings and premises or the height and area of buildings are uniform.

Zoning Permit

A permit issued by the Planning Department allowing a proprietor or his agent to construct or alter a building, to construct outbuildings or accessory structures, or engage in similar activity which would alter the character of the lot in question.

2.3

Relationship to Comprehensive Plan

It is the intention of the Planning Commission that this Ordinance implement the planning policies adopted by the Commission for the county and cities as reflected in the official comprehensive plan and other planning documents.